



Barbara Galardo
1 Davis Farm Rd
Portland, ME 04102

REDACTED - FOR PUBLIC INSPECTION

November 9, 2015

By Hand

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

Accepted / Filed

NOV - 9 2015

Federal Communications Commission
Office of the Secretary

RE: *Connect America Fund*, WC Docket No. 10-90;
Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42;
ETC Annual Reports and Certifications, WC Docket No. 14-58

Dear Ms. Dortch:

On behalf of its affiliated local exchange carriers mentioned below, ("LECs"), FairPoint Communications Corp. ("FairPoint") hereby files the revised annual report and certifications required by sections 54.312(c), 54.313(a), 54.313(b), 54.313(c)(3), 54.313(h) and 54.422 of the Commission's rules as required by USAC in its directive dated October 9, 2015 as a results of the Office of Management and Budget (OMB) approval of additional lines for the FCC Form 481. Please note, many of these companies are rate of return companies participating in the NECA TS pool and transitioning to bill and keep via the rate of return mechanism, even though they are considered price cap for high cost CAF (e.g., Frozen CAF, CAF- Incremental and CAF II).

As such, for purposes of the ICC Transition Rules and for CAF-ICC these are considered rate of return carriers. Therefore, the certification for Form 481 line 2016, which applies to price cap carriers receiving CAF-ICC support to offset reductions in access charges does not apply to these carriers which are rate of return carriers.

Below are excerpts from several of the *Transitional Orders* that support FairPoint's compliance with the rules for this specific issue.

Paragraph 26 of FCC 11-161 states, "Rate-of-return carriers receiving legacy universal service support, or CAF support to offset lost ICC revenues, must offer broadband service meeting initial CAF requirements, with actual speeds of at least 4 Mbps downstream and 1 Mbps upstream, upon their customers' reasonable request." This requirement is emphasized again in paragraph 21 of DA14-54 which states that the commission "largely maintained the existing legacy universal support mechanisms for rate-of-return carriers and required that they provide broadband meeting the Commission's public service obligations upon reasonable request." Paragraphs 59-72 of DA 14-54 further describes a "reasonable request".

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FairPoint is taking reasonable steps to provide upon request broadband service at actual speeds of at least 4 Mbps downstream/1 Mbps upstream, with latency suitable for real-time applications, including Voice over Internet Protocol, and usage capacity that is reasonably comparable to comparable offerings in urban areas as determined in an annual survey, and that requests for such service are met within a reasonable amount of time.

A copy of the revised report is also being filed with the Universal Service Administrative Company, affected Tribal governments, where applicable, and each relevant State public service commission in which FairPoint operates as an ETC.

Portions of this filing are confidential and are being filed under seal in accordance with the Federal Communications Commission's *Third Protective Order* in the above-captioned Docket WC 10-90.¹

This filing contains confidential, commercially sensitive information on network outages, customer information by exchange, FairPoint's past, present and future network deployment activities, and FairPoint's engagements with Tribal governments. FairPoint requests that all of this confidential information, as indicated on the enclosed documents, be withheld from public inspection.

Confidential treatment is appropriate for the detailed reporting of outages, which includes location, cause, duration and efforts taken to prevent further outages, the number of complaints per 1000, and the rate floor loop counts with the associated regulatory fees. This information is competitively sensitive and is not normally released to the public; release of this information could give FairPoint's competitors an advantage in the markets described herein. Section 4.2 of the Commission's rules states that reports of service disruptions are "presumed to be confidential." 47 C.F.R. §4.2.

Confidential treatment also is merited for FairPoint's unfulfilled voice and broadband service requests. This information is competitively sensitive as it may provide an indication of where FairPoint may target future service expansion. This information is not normally released to the public; release of such sensitive data could give FairPoint's competitors an advantage in the markets described therein.

In addition, the list of FairPoint's broadband price offerings is confidential and competitively sensitive. While some broadband price offerings may be publicly available on a targeted and localized basis, FairPoint has not published a companywide description of its pricing across all markets, as contained in this report. Pricing is a key component of broadband competition and is not normally released to the public on this scale. Release of such sensitive data could give FairPoint's competitors an advantage in the markets contained herein.

Finally, confidential treatment of FairPoint's Tribal engagements is appropriate. FairPoint has not published the details of its Tribal engagements as this data is customer-specific. Release of such sensitive data could give FairPoint's competitors an advantage in the markets contained herein.

¹ *Connect America Fund, et al., WC Dockets 10-90, et al., Third Protective Order, DA 12-1418 (Wireline Competition Bur. & Wireless Telecom. Bur., rel. August 30, 2012).*



REDACTED - FOR PUBLIC INSPECTION

In accordance with the Third Protective Order, FairPoint's Stamped Confidential Documents have been marked, "CONFIDENTIAL INFORMATION — SUBJECT TO THIRD PROTECTIVE ORDER IN WC DOCKET NOS. 10-90, 07-135, 05-337, 03-109, GN DOCKET NO. 09-51, CC DOCKET NOS. 01-92, 96-45, WT DOCKET NO. 10-208 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION." In addition to the copy provided herewith, two copies of the Stamped Confidential Documents are included for the Wireline Competition Bureau.

FairPoint also provides two redacted versions of each document, marked: "REDACTED — FOR PUBLIC INSPECTION," in accordance with the Third Protective Order.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "Barbara Galardo".

Barbara B. Galardo, Senior Director Cost & Access

Enclosures

<010>	Study Area Code	145115
<015>	Study Area Name	TELEPHONE OPERATION COMPANY OF VERMONT LLC
<020>	Program Year	2016
<030>	Contact Name: Person USAC should contact with questions about this data	Barbara Galardo
<035>	Contact Telephone Number: Number of the person identified in data line <030>	2075354126 ext.
<039>	Contact Email Address: Email of the person identified in data line <030>	bgalardo@fairpoint.com

ANNUAL REPORTING FOR ALL CARRIERS	54.313	54.422
	Completion Required	Completion Required

<100>	Service Quality Improvement Reporting	(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>
<200>	Outage Reporting (voice)	(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>
<210>	<input type="checkbox"/> <-- check box if no outages to report		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<300>	Unfulfilled Service Requests (voice)		<input type="checkbox"/>	<input type="checkbox"/>
<310>	Detail on Attempts (voice)	(attach descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<320>	Unfulfilled Service Requests (broadband)		<input type="checkbox"/>	<input type="checkbox"/>
<330>	Detail on Attempts (broadband)	(attach descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<400>	Number of Complaints per 1,000 customers (voice)		<input type="checkbox"/>	<input type="checkbox"/>
<410>	Fixed		<input type="checkbox"/>	<input type="checkbox"/>
<420>	Mobile		<input type="checkbox"/>	<input type="checkbox"/>
<430>	Number of Complaints per 1,000 customers (broadband)		<input type="checkbox"/>	<input type="checkbox"/>
<440>	Fixed		<input type="checkbox"/>	<input type="checkbox"/>
<450>	Mobile		<input type="checkbox"/>	<input type="checkbox"/>
<500>	Service Quality Standards & Consumer Protection Rules Compliance	(check to indicate certification)	<input type="checkbox"/>	<input type="checkbox"/>
<510>	145115VT510.pdf	(attached descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<600>	Functionality in Emergency Situations	(check to indicate certification)	<input type="checkbox"/>	<input type="checkbox"/>
<610>	145115VT610.pdf	(attached descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<700>	Company Price Offerings (voice)	(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>
<710>	Company Price Offerings (broadband)	(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>
<800>	Operating Companies and Affiliates	(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>
<900>	Tribal Land Offerings (Y/N)?	(if yes, complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>
<1000>	Voice Services Rate Comparability Certification	Yes	<input type="checkbox"/>	<input type="checkbox"/>
	1010 Voice Service Rate Comparability.pdf		<input type="checkbox"/>	<input type="checkbox"/>
<1010>		(attach descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<1100>		(if not, check to indicate certification)	<input type="checkbox"/>	<input type="checkbox"/>
<1110>		(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>
<1200>	Terms and Condition for Lifeline Customers	(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>

Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet

<2000>	Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers	(check to indicate certification)	<input type="checkbox"/>	<input type="checkbox"/>
<2005>		(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>

Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet

<3000>		(check to indicate certification)	<input type="checkbox"/>	<input type="checkbox"/>
<3005>		(complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

[illegible]

OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<701>	Residential Local Service Charge Effective Date	1/1/2015
<702>	Single State-wide Residential Local Service Charge	

[illegible]

(710) Broadband Price Offerings
Data Collection Form

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

<010>	Study Area Code	145115
<015>	Study Area Name	TELEPHONE OPERATION COMPANY OF VERMONT LLC
<020>	Program Year	2016
<030>	Contact Name - Person USAC should contact regarding this data	Barbara Galardo
<035>	Contact Telephone Number - Number of person identified in data line <030>	2075354126 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	bgalardo@fairpoint.com

[illegible]

**(1100) No Terrestrial Backhaul Reporting
Data Collection Form**

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	145115
<015>	Study Area Name	TELEPHONE OPERATION COMPANY OF VERMONT LLC
<020>	Program Year	2016
<030>	Contact Name - Person USAC should contact regarding this data	Barbara Galardo
<035>	Contact Telephone Number - Number of person identified in data line <030>	2075354126 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	bgalardo@fairpoint.com

<1130>

(1200) Terms and Condition for Lifeline Customers

**Lifeline
Data Collection Form**

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	145115
<015>	Study Area Name	TELEPHONE OPERATION COMPANY OF VERMONT LLC
<020>	Program Year	2016
<030>	Contact Name - Person USAC should contact regarding this data	Barbara Galardo
<035>	Contact Telephone Number - Number of person identified in data line <030>	2075354126 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	bgalardo@fairpoint.com

145115VT1210.pdf

<1210> Terms & Conditions of Voice Telephony Lifeline Plans

<1220> Link to Public Website

HTTP www.tariffs.net/fairpoint/tier.asp?cid+1644

<1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers,



<1222> Details on the number of minutes provided as part of the plan,



<1223> Additional charges for toll calls, and rates for each such plan.



(3000) Rate Of Return Carrier Additional Documentation

Data Collection Form

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3050-0819

July 2013

<010> Study Area Code 145115
 <015> Study Area Name TELEPHONE OPERATION COMPANY OF VERMONT LLC
 <020> Program Year 2016
 <030> Contact Name - Person USAC should contact regarding this data Barbara Galardo
 <035> Contact Telephone Number - Number of person identified in data line <030> 2075354126 ext.
 <039> Contact Email Address - Email Address of person identified in data line <030> bgalardo@fairpoint.com

CHECK the boxes below to note compliance on its five year service quality plan (pursuant to 47 CFR § 54.202(a)) and, for privately held carriers, ensuring compliance with the financial reporting requirements set forth in 47 CFR § 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.

(3010) Progress Report on 5 Year Plan
 Milestone Certification (47 CFR § 54.313(f)(1)(i))

Name of Attached Document Listing Required Information

(3011)

☐

(3012) Community Anchor Institutions (47 CFR § 54.313(f)(1)(iii))

Name of Attached Document Listing Required Information

(3013) Is your company a Privately Held ROR Carrier (47 CFR § 54.313(f)(2))
 (3014) If yes, does your company file the RUS annual report

(Yes/No) ☒ ☒
 (Yes/No) ☒ ☒

(3015) Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers)

☐

(3016)

☐

(3017) If the response is yes on line 3014, attach your company's RUS annual report and all required documentation

Name of Attached Document Listing Required Information

(3018) If the response is no on line 3014, is your company audited?
 If the response is yes on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains

(Yes/No) ☒ ☒

(3019) Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications

☐

(3020)

☐

(3021)

☐

If the response is no on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains:

(3022) Copy of their financial statement which has been subject to review by an independent certified public accountant; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers,

☐

(3023) Underlying information subjected to a review by an independent certified public accountant

☐

(3024) Underlying information subjected to an officer certification.

☐

(3025)

☐

(3026) Attach the worksheet listing required information

Name of Attached Document Listing Required Information

(3000) Rate Of Return Carrier Additional Documentation (Continued)

FCC Form 481

Data Collection Form

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

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<039> Contact Email Address - Email Address of person identified in data line <030>	bgalardo@fairpoint.com

Financial Data Summary

(3027) Revenue

(3028) Operating Expenses

(3029) Net Income

(3030) Telephone Plant In Service(TPIS)

(3031) Total Assets

(3032) Total Debt

(3033) Total Equity

(3034) Dividends

Certification - Reporting Carrier Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	145115
<015> Study Area Name	TELEPHONE OPERATION COMPANY OF VERMONT LLC
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TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:

Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients	
I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.	
Name of Reporting Carrier: TELEPHONE OPERATION COMPANY OF VERMONT LLC	
Signature of Authorized Officer: CERTIFIED ONLINE	Date 11/06/2015
Printed name of Authorized Officer: Michael Skrivan	
Title or position of Authorized Officer: VP Regulatory	
Telephone number of Authorized Officer: 2075354150 ext.	
Study Area Code of Reporting Carrier: 145115	Filing Due Date for this form: 07/01/2015
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

Attachments

(800) Operating Companies		FCC Form 481
Data Collection Form		OMB Control No. 3060-0986/OMB Control No. 3060-0819
		July 2013

<010>	Study Area Code	145115
<015>	Study Area Name	TELEPHONE OPERATION COMPANY OF VERMONT LLC
<020>	Program Year	2016
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<035>	Contact Telephone Number - Number of person identified in data line <030>	2075354126 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	bgalardo@fairpoint.com
<810>	Reporting Carrier	Telephone Operating Company of Vermont LLC
<811>	Holding Company	FairPoint Communications, Inc.
<812>	Operating Company	Telephone Operating Company of Vermont LLC

<813>	<a1>	<a2>	<a3>
	Affiliates	SAC	Doing Business As Company or Brand Designation
	Bentleyville Communications Corporation	170145	dba FairPoint Communications Inc.
	Berkshire Cable Corp.		dba FairPoint Long Distance
	Berkshire Cellular, Inc.		
	Berkshire New York Access, Inc.		
	Berkshire Telephone Corporation	150073	dba FairPoint Communications Inc.
	Big Sandy Telecom, Inc.	462192	dba FairPoint Communications Inc.
	Bluestem Telephone Company	411835	dba FairPoint Communications Inc.
	Chautauqua & Erie Communications, Ltd		
	Chautauqua & Erie Communications, Inc.		dba FairPoint Long Distance
	Chautauqua and Erie Telephone Corporation	150078	dba FairPoint Communications Inc.
	China Telephone Company	100004	dba FairPoint Communications Inc.
	Chouteau Telephone Company	431981	dba FairPoint Communications Inc.
	Columbine Telecom Company	462204	dba FairPoint Communications Inc.
	Columbus Grove Telephone Co.	300604	dba FairPoint Communications Inc.
	COM Networks, Inc.		
	Comerco, Inc.		dba FairPoint Long Distance
	Community Service Telephone Co	100015	dba FairPoint Communications Inc.
	C-R Communications, Inc.		
	C-R Long Distance, Inc.		dba FairPoint Long Distance
	C-R Telephone Company	341009	dba FairPoint Communications Inc.
	El Paso Long Distance Company		dba FairPoint Long Distance
	El Paso Telephone Company	341004	dba FairPoint Communications Inc.
	Ellensburg Telephone Company	522412	dba FairPoint Communications Inc.

(800) Operating Companies Data Collection Form		FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	145115
<015>	Study Area Name	TELEPHONE OPERATION COMPANY OF VERMONT LLC
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<030>	Contact Name - Person USAC should contact regarding this data	Barbara Galardo
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<810>	Reporting Carrier	Telephone Operating Company of Vermont LLC
<811>	Holding Company	FairPoint Communications, Inc.
<812>	Operating Company	Telephone Operating Company of Vermont LLC

<813>	<a1>	<a2>	<a3>
	Affiliates	SAC	Doing Business As Company or Brand Designation
	Elltel Long Distance Corp.		dba FairPoint Long Distance
	Enhanced Communications of Northern New England Inc.		
	ExOp of Missouri Inc.		
	FairPoint Broadband, Inc.		
	FairPoint Business Services LLC		
	FairPoint Carrier Services, Inc.		
	FairPoint Communications Missouri, Inc.	421472	dba FairPoint Communications Inc.
	FairPoint Logistics, Inc. (f/k/a MJD Capital Corp.)		
	FairPoint Vermont, Inc. (TG)	143331	dba FairPoint Communications Inc.
	Germantown Independent Telephone Company	300618	dba FairPoint Communications Inc.
	Germantown Long Distance Company		dba FairPoint Long Distance
	GTC, Inc.	210291	(Floral) dba FairPoint Communications Inc.
	GTC, Inc.	210329	(Perry) dba FairPoint Communications Inc.
	Maine Telephone Company, INC	100025	dba FairPoint Communications Inc.
	Marianna Scenery Hill Telephone Company	170185	dba FairPoint Communications Inc.
	Marianna Tel., Inc.		
	MJD Services Corp.		
	MJD Ventures, Inc.		
	Northern New England Telephone Operations LLC (NNE)	125113	dba FairPoint Communications Inc.
	Northern New England Telephone Operations LLC (NNE)	105111	dba FairPoint Communications Inc.
	Northland Telephone Company of Maine, Inc.	103313	dba FairPoint Communications Inc.
	Odin Telephone Exchange, Inc	341065	dba FairPoint Communications Inc.
	Orwell Communications, Inc.		dba FairPoint Long Distance

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
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<810>	Reporting Carrier	Telephone Operating Company of Vermont LLC
<811>	Holding Company	FairPoint Communications, Inc.
<812>	Operating Company	Telephone Operating Company of Vermont LLC

<813>	<a1>	<a2>	<a3>
	Affiliates	SAC	Doing Business As Company or Brand Designation
	Orwell Telephone Company	300649	dba FairPoint Communications Inc.
	Peoples Mutual Long Distance		
	Peoples Mutual Telephone Co	190244	dba FairPoint Communications Inc.
	Quality One Technologies, Inc.		dba FairPoint Long Distance
	Ravenswood Communications, Inc.		
	Sidney Telephone Company	103313	dba FairPoint Communications Inc.
	ST Enterprises, Ltd.		
	ST Long Distance, Inc.		dba FairPoint Long Distance (Kansas, Colorado, Oklahoma)
	St. Joe Communications, Inc.	210339	dba FairPoint Communications Inc.
	Standish Telephone Company, INC	100025	dba FairPoint Communications Inc.
	Sunflower Telephone Co	461835	dba FairPoint Communications Inc.
	Taconic Technology Corp.		
	Taconic TelCom Corp.		dba FairPoint Long Distance
	Taconic Telephone Corp.	150084	dba FairPoint Communications Inc.
	Telephone Operating Company of Vermont LLC (NNE)	145115	dba FairPoint Communications Inc.
	UI Long Distance, Inc.		dba FairPoint Long Distance
	Utilities, Inc.		dba FairPoint Communications Inc.
	YCOM Networks, Inc.	522453	dba FairPoint Communications Inc.

FCC Form 481

Line 112- Service Quality Improvement Reporting
{47 CFR 54.313(a)(1)}

1. In the FCC's Public Notice DA 14-951, released May 1, 2014, the FCC waived the requirement for price cap ETCs to file a five-year plan. The bureau stated that "until the [Connect America Phase II forward-looking] cost model is adopted and incumbents have the opportunity to accept a state-level commitment, it does not serve the public interest" to require price cap ETCs to file five-year plans.¹

¹ *Connect America Fund et al.* WC Docket No. 10-90 et al., Order, 28 FCC Rcd 2051, 2054, para. 8 (Wireline Comp. Bur. 2013) (*ETC Reporting Requirements Order*).